

THE HONORABLE BARBARA JACOBS ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TATIANA WESTBROOK, an individual;
JAMES WESTBROOK, an individual; HALO
BEAUTY PARTNERS, LLC, a Nevada Limited
Liability Company,

Plaintiffs,

v.

KATIE JOY PAULSON, an individual;
WITHOUT A CRYSTAL BALL, LLC, a
Minnesota Limited Liability Company; and
DOES 1 through 100, inclusive,

Defendants.

NO. 2:20-cv-01606-BJR

**STIPULATED ORDER REGARDING
PRESERVATION OF EVIDENCE**

WHEREAS, on November 4, 2020, Plaintiffs filed a Motion for Order to Preserve Evidence (“Motion”) (Dkt. 8);

WHEREAS, in that Motion, Plaintiffs contend that after sending a notice to preserve evidence on October 30, 2020, Defendants subsequently destroyed evidence related to and/or reasonably calculated to lead to the discovery of admissible evidence;

WHEREAS, Defendants dispute the factual and legal assertions in Plaintiffs’ Motion, and deny that they have violated any duty to preserve evidence with respect to this matter;

WHEREAS, the parties wish to resolve this dispute without further involvement of the

**STIPULATED ORDER REGARDING
PRESERVATION OF EVIDENCE**

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(2:20-CV-01606-BJR)

CARROLL, BIDDLE, & BILANKO, PLLC
1000 2nd Avenue, Suite 3100
Seattle, WA 98104

1 Court;

2 NOW, THEREFORE, Plaintiffs and Defendants, by and through their respective
3 undersigned counsel, hereby stipulate to this Court's entry of the following Order:

4 **ORDER**

5 **THIS MATTER COMES BEFORE THE** Court upon the parties' Stipulation and
6 Proposed Order Regarding Preservation of Evidence. Based on the parties' Stipulation, and for
7 good cause shown, it is hereby **ORDERED** that:

- 8 1) Defendants Katie Joy Paulson and Without a Crystal Ball, LLC are hereby ordered to
9 preserve all published content within their custody or control that they know or have
10 reason to know is either relevant to this matter, or could reasonably be expected to
11 lead to the discovery of relevant information in this matter, including without
12 limitation:
- 13 a. Social media content on any internet platform, including but not limited to:
14 Instagram, Facebook, Twitter, Snapchat, and YouTube;
- 15 b. Videos, all live chats and streams, including "live videos" on Instagram
16 Stories;
- 17 c. Comments on social media posts and videos.
- 18 2) Defendants Katie Joy Paulson and Without a Crystal Ball, LLC are hereby ordered to
19 preserve all published content within their custody or control that they know or have
20 reason to know is either relevant to this matter, or could reasonably be expected to
21 lead to the discovery of relevant information in this matter, including without
22 limitation:
- 23 a. Direct and/or instant messages sent or received by Defendants; and
24
25
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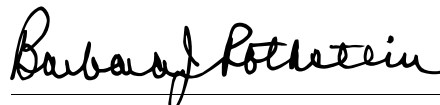
b. E-mails, text messages, and phone messages or any other form of recorded communication sent or received by Defendants.

3) Defendants' failure to comply with this Order may subject Defendants to sanctions, including sanctions for civil contempt.

4) This Order does not preclude Plaintiffs from seeking discovery sanctions if and to the extent that Defendants have violated their duty to preserve relevant evidence.

5) Nothing contained herein shall be deemed a waiver of either party's rights with respect to seeking or resisting discovery, or an admission regarding the discoverability or admissibility of any evidence.

Dated this 15th day of December, 2020.



Barbara Jacobs Rothstein
U.S. District Court Judge

Presented by:

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/s/ Susan K. Kaplan
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